



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,980	02/15/2002	Peter A. Moody	DP-305945	9218
22851	7590	01/10/2005		
DELPHI TECHNOLOGIES, INC. M/C 480-410-202 PO BOX 5052 TROY, MI 48007				
			EXAMINER KERN, MATTHEW C	
			ART UNIT 2654	PAPER NUMBER

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/075,980	MOODY ET AL.	
	Examiner	Art Unit	
	Kern Matthew	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/18/2003</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-2, 4-6, 8-9, and 11-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Ali-Yrkko (US patent no 6,256,611).

As per claim 1, Ali-Yrkko teaches providing navigation of a voice mail system with the steps:

- establishing a communication link between a speech navigation system and a voice mail system (col 2, lines 19-20, “establishing a connection with a telecommunication service” and col 4, lines 11-14, voice mailbox).
- providing a voice command to the speech navigation system, where the voice command has at least one associated keypad character(“When the call has been set up, the user utters a command word.... and DTMF tones according to the control signal are sent” col 4, lines 5-11)
- providing a telephone dialing tone (DTMF) from the speech navigation system to the voice mail system, where the telephone dialing tone corresponds to the at least one associated keypad character of the voice command (“...the DTMF tones according to

Art Unit: 2654

that control signal are sent to the voice mailbox just as the user would enter the number sequence by pressing individual buttons.” col 4, lines 8-11) .

As per claim 2, Ali-Yrkko discloses a telephone dialing tone that is a DTMF tone (“ In the vocabulary a control signal corresponds to the word, and DTMF tones according to that control signal are sent to the voice mailbox...” col 4, lines 8-10)

As per claim 4, Ali-Yrkko teaches a speech navigation system that includes a wireless device (mobile communication device, “...the user downloads the vocabulary corresponding to the service via an infrared (IR) link or communications interface.” col 4, lines 31-34)

As per claim 5, Ali-Yrkko teaches a speech navigation system where the wireless device is one of a mobile telephone and a cellular telephone (mobile communications device, col 4, line 7)

As per claim 6, Ali-Yrkko teaches a voice mail system that performs a function associated with the telephone dialing tone (listen #1, next #2, previous #3, save #4, delete #5”, col 4, lines 20-29).

As per claim 8, Ali-Yrkko teaches a speech navigation system for communicating with a voice mail system with:

Art Unit: 2654

- a wireless communication device for establishing a communication link with the voice mail system (see the rejection of claim 4 above).
- a processor coupled to the wireless communication device ("In an embodiment of the invention the speech recognizer is realized using a digital signal processor and memory circuits." col 2, lines 28-30).
- a memory subsystem coupled to the processor, the memory subsystem storing a plurality of voice commands and a plurality of keypad characters, where at least one of the plurality of keypad characters are each associated with one of the plurality of voice commands ("The speech recognizer 40, which is known per se, is typically realized using essentially a digital signal processor (DSP) and memory circuits" col 3, lines 55-58 and "...and the command word and the corresponding control signal are stored." respectively. col 1, lines 61-62)
- a voice input circuit coupled to the processor for receiving a voice command from a user, where the processor (col2, lines 28-30) is configured to associate a received voice command with at least one of the plurality of keypad characters(col 4, lines 5-11) and cause the wireless communications device to provide a corresponding telephone dialing tone to the voice mail system via the communications link(col 4, lines 5-11).

As per claim 9, it is rejected for reasons given in the rejection of claim 2 above.

As per claim 11, it is rejected for reasons given in the rejection of claim 5 above.

As per claim 12, it is rejected for reasons given in connection with the rejection of claim 6 above.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3, 7, 10, and 13-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ali-Yrkko.

As per claims 3 and 10, Ali-Yrkko teaches number sequences (col 3, lines 63-65), key presses being replaced by voice commands. He does not teach using * and #. However, the examiner takes Official Notice that it is old and well-known in the art for voice mail systems to also use the keypad symbols * and # to navigate and perform functions in their voice mail systems. Therefore, it would have been obvious for one of ordinary skill at the time of invention to have Ali-Yrkko's system allow a user to also use * and # to allow for a wider number of functions to be selected with just a single number or symbol (as opposed to selecting a function using a string of numbers eg. 1234).

As per claim 7, Ali-Yrkko does not teach changing from a voice command to a speech recognition mode while maintaining the communication link between the speech

Art Unit: 2654

navigation system and the voice mail system. However, the examiner takes Official Notice that it is old and notoriously well-known to switch from voice commands to a dictation mode in a speech recognition system. Therefore, it would have been obvious for one of ordinary skill at the time of invention to do this while maintaining the communications link between cellular phone and voice message system so that the user would not have to hang-up and redial the voice mail number after sending a text message.

As per claim 13, Ali-Yrkko does not teach a manual switch coupled to the processor that allows the navigation system to toggle from a voice mode to a speech recognition mode. However, the examiner takes Official Notice that it is old and well-known in the art for a user to transfer back-and-forth between a dictation mode and a command mode in speech recognition systems by uttering a change word. Furthermore, the examiner takes Official Notice that it is old and well-known in the art to accomplish this toggling by not only uttering a voice command, but also by depressing a manual switch. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include a button in Ali-Yrkko's system to include a toggling switch so that a user would not have to remember a noun or verb phrase, code or something else to toggle his unit—he could just depress one simple button.

As per claim 14, Ali-Yrkko does not teach a speech navigation system that transitions from a voice-command mode to a speech recognition mode upon receiving a

first predetermined voice command and transitions back to the voice mode upon receiving a second predetermined voice command. However, the examiner takes Official Notice that it is old and notoriously well-known for a user to transfer back-and-forth between a dictation mode and a command mode in speech recognition systems by uttering a change word. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include this type of functionality in Ali-Yrkko's system so that the user, instead of having to remember a push-button code to enter, could simply say a command word to go from voice mode to a speech recognition mode for sending text messages. This would make it easier for the user to operate the system. The rest of the limitations were discussed in connection with the rejection of claim 13 above.

As per claim 15, Ali-Yrkko does not teach a using a single the same word for the user to speak to transfer from voice mode to speech mode, and vice-versa. However, the examiner takes Official Notice that is old and well-known that in order to simply voice mail systems, a user uses just one word to toggle between two different modes/functional states. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include this single-word predetermined control capability in Ali-Yrkko's system so that the user would not have to remember a number of words to toggle between operating modes-he could remember just one, thus reducing the chance that he forgets what word to use to navigate through the voice mail system.

As per claim 16, Ali Yrkko teaches a speech navigation system for communicating with a voice mail system, specifically using GSM (col 3, lines 63-65). Ali-Yrkko does not teach this type of system found in an automobile. However, the examiner takes Official Notice that it is old and well-known that GSM communication systems are frequently installed in cars found in European countries. Therefore, it would have been obvious for one of ordinary skill at the time of invention to include a Ali-Yrkko's system in a car, so that in addition to obtaining construction sites and weather reports that would aid with driving, the drive could also gain access to his voice mail while leaving his hands free to drive the car.

The rest of the limitations were discussed in connection with the rejection of claims 8, 9, and 12 above.

- As per claim 17, it is rejected since the limitation was discussed in connection with the rejection of claim 10 above.
- As per claim 18, it is rejected since the limitation was discussed in connection with the rejection of claim 13 above.
- As per claim 19, it is rejected since the limitation was discussed in connection with the rejection of claim 14 above.
- As per claim 20, it is rejected since the limitation was discussed in connection

with the rejection of claim 15 above.

- As per claim 21, it is rejected since the limitation was discussed in connection with the rejection of claim 11 above.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

O'Brien (US patent 6,601,031) discusses a remote voice mail system that can be accessed using a DTMF tone.

Cohen (US patent 6,014,626) discloses a diagnostic system where the user can say how they feel, which is then converted to a control system, which is then relayed to a remote voice center.

Halverson (US patent 6,523,061) discloses a voice navigation system that uses wireless communication.

Brotman et al. (US patent 5,917,889) discusses a call processing environment that uses a DTMF signal.

Ali et al (US patent 6,044,346) teaches a speech recognition processor that takes a small vocabulary and converts it to a DTMF tone.

Finally, Hunt et al. (US patent 6,539,078) teaches a voice messaging system with a logging and reporting unit using a DTMF signal.

Art Unit: 2654

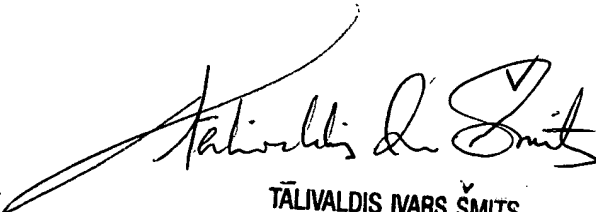
4. Any inquiry concerning this communication should be directed to Mr. Matthew Kern, whose telephone number is (703) 305-4828 or fax number (703) 305-9508. The examiner can normally be reached Mondays-Fridays from 9:30 am to 6 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Talivaldis Smits, can be reached at (703) 306-3011. The facsimile phone number for this Technology Center is (703) 305-9508.

Any inquiry of a general nature of relating to the status of this application should be directed to the Technology Center 2600 receptionist, whose telephone number is (703) 746-6055.

1/5/05

MCK



TĀLIVALDIS IVARS ŠMITS
PRIMARY EXAMINER